ARTICLES OF PEACE & COMMERCE

Between

The Most Serene and Mighty PRINCE

CHARLES II.

By the Grace of God,

King of *Great Britain*, *France* and *Ireland*,

Defender of the Christian Faith, &c.

AND

The Most Illustrious LORDS,

The *Bashaw*, *Dey*, *Aga*, *Divan*,

And Governours of the City and Kingdom of

TRIPOLI;

Concluded by

Sir *John Narbrough* Knight,

Admiral of His Majesties Fleet in the *Mediterranean* Seas, the First day of *May*, 1676.

Published by His Majesties Command.

LONDON,

Printed by the Assigns of *John Bill* and *Christopher Barker*,

Printers to the Kings Most Excellent Majesty. 1677.

Article I.

IN the first place, it is Agreed and Concluded, That from this day and for ever forward, there be a true, firm, and inviolable Peace between the most Serene King of *Great Britain*, *France* and *Ireland*, Defender of the Christian Faith, *&c.* And the most Illustrious Lords the Bashaw, Dey, Aga, Divan, and Governours of the City and Kingdom of *Tripoli* in *Barbary*, and between all the Dominions and Subjects of either side, and that the Ships or other Vessels, and the Subjects and People of both sides, shall not henceforth do to each other any Harm, Offence or Injury either in Word

or Deed, but ſhall Treat one another with all poſſible Reſpect and Friendſhip.

II.

That any of the Ships or other Veſſels belonging to the ſaid King of *Great Britain*, or to any of His Majeſties Subjects, may ſafely come to the Port of *Tripoli*, or to any other Port or Place of that Kingdom, or Dominions thereunto belonging, freely to Buy and Sell without the leaſt diſturbance, paying the uſual Cuſtoms as in former times hath been paid, for ſuch Goods as they Sell: and for the Goods they Sell not, they ſhall have free liberty to carry on Board their own Ships, without paying any Duties for the ſame, and when they pleaſe they ſhall freely depart from thence without any Stop, Hindrance or Moleſtation whatſoever.

III.

That all Ships and other Veſſels, as well thoſe belonging to the ſaid King of *Great Britain*,

Britain, or to any of His Majeſties Subjects, As alſo thoſe belonging to the Kingdom or People of *Tripoli*, ſhall freely paſs the Seas, and Traffick where they pleaſe, without any Search, hindrance, or moleſtation from each other; and that all Perſons or Paſſengers of what Countrey ſoever, and all Moneys, Goods, Merchandizes, and Moveables to whatſoever People or Nation belonging, being on board of any the ſaid Ships or Veſſels, ſhall be wholly free, and ſhall not be Stopped, Taken or Plundred, nor receive any harm or damage whatſoever from either Party.

IV.

That the *Tripoli* Ships of War, or other Veſſels thereunto belonging, meeting with any Merchants Ships or other Veſſels of the King of *Great Britains* Subjects, not being in any of the Seas appertaining to His Majeſties Dominions, may ſend on board one ſingle Boat with but Two Sitters, beſides the Ordinary Crew of Rowers: and no more but the Two Sitters to enter any of the ſaid Merchants Ships, or any other Veſſels

Veſſels, without the expreſs leave from the Commander of every ſuch Ship or Veſſel; and then upon producing unto them a Paſs under the Hand and Seal of the Lord High Admiral of *England*, the ſaid Boat ſhall preſently depart, and the Merchants Ship or Ships, Veſſel or Veſſels ſhall proceed freely on her or their Voyage. And although the Commander or Commanders of the ſaid Merchant Ship or Ships, Veſſel or Veſſels produce no Paſs from the Lord High Admiral of *England*, yet if the Major part of the ſaid Ships or Veſſels Company be Subjects to the ſaid King of *Great Britain*, the ſaid Boat ſhall preſently depart, and the Merchant Ship or Ships, Veſſel or Veſſels ſhall proceed freely on her or their Voyage; And if any of the ſaid Ships of War or other Veſſels of His ſaid Majeſty, meeting with any Ship or Ships, Veſſel or Veſſels belonging to *Tripoli*, if the Commander or Commanders of any ſuch Ship or Ships, Veſſel or Veſſels ſhall produce a Paſs ſigned by the Chief Governors of *Tripoli*, and a Certificate from the *Engliſh* Conſul living there,

or

or if they have no ſuch Paſs or Certificate, yet if the Major part of their Ships Company or Companies be *Turks*, *Moors*, or Slaves belonging to *Tripoli*, then the ſaid *Tripoli* Ship or Ships, Veſſel or Veſſels ſhall proceed freely.

V.

That no Commander or other perſon of any Ship or Veſſel of *Tripoli* ſhall take out of any Ship or Veſſel of His ſaid Majeſties Subjects, any perſon or perſons whatſoever, to carry them any where to be examined, or upon any other pretence, nor ſhall uſe any torture or violence unto any perſon of what Nation or Quality whatſoever, being on board any Ship or Veſſel of His Majeſties Subjects, upon any pretence whatſoever.

VI.

That no Shipwrack belonging to the ſaid King of *Great Britain*, or to any of His Majeſties Subjects, upon any part of the Coaſt belonging unto *Tripoli*, ſhall be made or become

come Prize; and that neither the Goods thereof ſhall be ſeiſed, nor the Men made Slaves, but that all the Subjects of *Tripoli* ſhall do their beſt endeavours to ſave the ſaid Men and their Goods.

VII.

That no Ship or any other Veſſel of *Tripoli* ſhall have permiſsion to be delivered up, or to go to any other place in enmity with the ſaid King of *Great Britain*, to be made uſe of as Corſairs or Sea-Rovers againſt His ſaid Majeſties Subjects.

VIII.

That none of the Ships or other ſmaller Veſſels of *Tripoli* ſhall remain Cruiſing near His Majeſties City and Garriſon of *Tangier*, or in ſight of it, nor any other way diſturb the Peace and Commerce of that place.

IX.

That if any Ship or Veſſel of *Tunis*, *Algier*,

gier, *Tittuan*, or *Sally*, or any other place being in War with the ſaid King of *Great Britain*, bring any Ships, Veſſels, Men or Goods belonging to any of His ſaid Majeſties Subjects, to *Tripoli*, or to any Port or place in that Kingdom, the Governors there ſhall not permit them to be ſold within the Territories of *Tripoli*.

X.

That if any of the Ships of War of the ſaid King of *Great Britain* do come to *Tripoli*, or to any other Port or place of that Kingdom, with any Prize, they may freely Sell it, or otherwiſe diſpoſe of it at their own pleaſure, without being moleſted by any; And that His Majeſties ſaid Ships of War ſhall not be obliged to pay Cuſtoms in any ſort; And that if they ſhall want Proviſions, Victuals, or any other things, they may freely buy them at the Rates in the Market.

XI.

That when any of His ſaid Majeſties Ships

of War ſhall appear before *Tripoli*, upon notice thereof given to the *Engliſh* Conſul, or by the Commander of the ſaid Ships, to the chief Governors of *Tripoli*, publick Proclamation ſhall be immediately made to ſecure the Chriſtian Captives; and if after that any Chriſtians whatſoever make their eſcape on board any of the ſaid Ships of War, they ſhall not be required back again, nor ſhall the ſaid Conſul, or Commander, or any other His ſaid Majeſties Subjects, be obliged to pay any thing for the ſaid Chriſtians.

XII.

That if any Subjects of the ſaid King of *Great Britain* happen to die in *Tripoli*, or its Territories, his Goods or Money ſhall not be ſeiſed by the Governors or any Miniſter of *Tripoli*, but ſhall all remain with the *Engliſh* Conſul.

XIII.

That neither the *Engliſh* Conſul, nor any other Subject of the ſaid King of *Great Britain*, ſhall be bound to pay the debts of any other

other of His Majeſties Subjects; except that they become Surety for the ſame by a publick Act.

XIV.

That the Subjects of His ſaid Majeſty in *Tripoli* or its Territories, in matter of controverſie, ſhall be liable to no other Juriſdiction but that of the Dey, or Divan, except they happen to be at difference between themſelves; in which caſe they ſhall be liable to no other Determination but that of the Conſul onely.

XV.

That in caſe any Subject of His Majeſty, being in any part of the Kingdom of *Tripoli*, happen to ſtrike, wound or kill a *Turk*, or a *Moor*, if he be taken, he is to be puniſhed in the ſame manner, and with no greater ſeverity then a *Turk* ought to be, being guilty of the ſame offence; but if he eſcape, neither the ſaid *Engliſh* Conſul, nor any other of His ſaid Majeſties Subjects ſhall be in any ſort queſtioned or troubled therefore.

XVI.

That the *Engliſh* Conſul now or at any time hereafter living in *Tripoli*, ſhall be there at all times with entire freedom and ſafety of his Perſon and Eſtate, and ſhall be permitted to chooſe his own Druggerman and Broker, and freely to go on board any Ship in the Road, as often and when he pleaſes, and to have the liberty of the Countrey; And that he ſhall be allowed a place to pray in, and that no man ſhall do him any Injury in Word or Deed.

XVII.

That not onely during the continuance of this Peace and Friendſhip, but likewiſe if any breach or War happen to be hereafter between the ſaid King of *Great Britain* and the City and Kingdom of *Tripoli*, the ſaid Conſul, and all other His ſaid Majeſties Subjects inhabiting in the Kingdom of *Tripoli*, ſhall always, and at all times both of Peace and War, have full and abſolute liberty

berty to depart, and go to their own or any other Countrey, upon any Ship or Veſſel of what Nation ſoever they ſhall think fit, and to carry with them all their Eſtates, Goods, Families and Servants, although born in the Countrey, without any interruption or hindrance.

XVIII.

That no Subject of His ſaid Majeſty, being a Paſſenger from or to any Port, ſhall be any way moleſted or medled with, although he be on board any Ship or Veſſel in enmity with *Tripoli*.

XIX.

That whereas a War hath lately happened between the moſt Serene King of *Great Britain*, &c. and the moſt Illuſtrious Lords, *Halil* Baſhaw, *Ibraim* Dey, Aga, Divan and Governours of the Noble City and Kingdom of *Tripoli* in *Barbary*, by reaſon of the Injuries done unto the King of *Great Britain* and His Subjects, by the Government and

and People of *Tripoli*, contrary to the Articles of Peace, We *Halil* Bashaw, *Ibraim* Dey, Aga, Divan and Governours of the Noble City and Kingdom of *Tripoli* in *Barbary*, do acknowledge the Injuries done, and that the breach of the Peace between His most Excellent Majesty the King of *Great Britain* and us of *Tripoli*, was committed by our Subjects, for which some are Banished, and some fled from our Justice; and for further satisfaction to His most Excellent Majesty for the breach of Articles, (we are sory for the same) and do by these engage to set at Liberty and deliver unto the Right Honourable Sir *John Narbrough* Knight, Admiral of His Majesties Fleet in the *Mediterranean* Seas, all *English* Captives residing in the City and Kingdom of *Tripoli*, and Dominions thereunto belonging, without paying any Ransom for them: And likewise by setting at liberty and delivering unto the said Sir *John Narbrough* Knight, all other persons taken under *English* Colours, without paying any Ransom for them, and by paying Eighty thousand Dollars in Moneys, Goods and

Slaves

Slaves to the aforesaid Sir *John Narbrough* Knight. And moreover, We do engage our selves and Successors, That if any Injury for the future be done contrary to these Articles by the Government and People of *Tripoli*, to the King of *Great Britain* and His Subjects; if upon demand of satisfaction from the Government and People of *Tripoli*, We or they refuse or deny to give satisfaction therefore, so that a War be occasioned thereby between the King of *Great Britain* and the Government and People of *Tripoli*, We do engage Our selves and Successors to make restitution for the Injuries done; and likewise to make satisfaction to the King of *Great Britain* for the full charge and damage of that War.

XX.

That no Subject of the King of *Great Britain*, *&c.* shall be permitted to turn *Turk* or *Moor* in the City and Kingdom of *Tripoli* (being induced thereunto by any surprisal whatsoever) unless he voluntarily

ly appear before the Dey or Governour with the *Engliſh* Conſuls Druggerman, Three times in Twenty four hours ſpace, and every time declare his reſolution to turn *Turk* or *Moor*.

XXI.

That at all times when any Ship of War of the King of *Great Britain*, *&c.* carrying His ſaid Majeſties Flagg at the Main-Top-Maſt Head, appear before the ſaid City of *Tripoli*, and come to Anchor in the Road, that immediately after notice thereof given by His ſaid Majeſties Conſul, or Officer, from the Ship, unto the Dey and Government of *Tripoli*, they ſhall in Honour to His Majeſty cauſe a Salute of One and twenty Cannon to be ſhot off from the Caſtle and Forts of the City; And that the ſaid Ship ſhall return an Anſwer by ſhooting off the ſame number of Cannon.

XXII.

That preſently after the Signing and Sealing

ing of these Articles by us *Halil* Bashaw, *Ibraim* Dey, Aga, Divan and Governours of the Noble City and Kingdom of *Tripoli*, all Injuries and Damages sustained on either part, shall be quite taken away and forgotten, and this Peace shall be in full force and virtue, and continue for ever: And for all Depredations and Damages that shall be hereafter committed or done by either side, before notice can be given of this Peace, full Satisfaction shall be immediately made, and whatsoever remains in kind, shall be instantly restored.

XXIII.

That whensoever it shall happen hereafter that any thing is done or committed by the Ships or Subjects of either side, contrary to any of these Articles, Satisfaction being demanded therefore, shall be made to the full, and without any manner of delay; and that it shall not be lawful to break this Peace, until such Satisfaction be denied: And Our Faith shall be our Faith, and our Word our Word; and whosoever shall

be the cauſe of the breaking of this Peace, ſhall aſſuredly be puniſhed with preſent death.

Confirmed and Sealed in the preſence of Almighty God, the 5th *day of* March *Old Stile, and the Year of our Lord* Jeſus Chriſt $167\frac{5}{8}$. *being the laſt day of the Moon* Zelhedga, *and the Year of the* Hegira, *One thouſand eighty ſix,* 1086.

(L.S.)	*(L.S.)*	*(L.S.)*	*(L.S.)*
	Baſhaw.	Dey.	Divan.

Whereas

WHereas there were Articles of Peace and Commerce between the most Serene and Mighty Prince *Charles* the Second, by the Grace of God King of *Great Britain*, *France* and *Ireland*, Defender of the Christian Faith, *&c.* and the most Illustrious Lords, *Halil* Bashaw, *Ibraim* Dey, Aga, Divan and Governours of the Noble City and Kingdom of *Tripoli* in *Barbary*, lately made and Concluded by the said Lords on the one part, and by Sir *John Narbrough* Knight, Admiral of His said Serene Majesties Fleet in the *Mediterranean* Seas on the other part, and by them Confirmed and Sealed in the presence of Almighty God, the Fifth day of *March* Old Stile, and the Year of our Lord *Jesus Christ*, 167½, being the last day of the Moon *Zelhedga*, and the Year of the *Hegira*, One thousand eighty six, 1086. Since which time of Confirming & Sealing the aforesaid Articles of Peace & Commerce, the aforesaid Lord *Ibraim* Dey being fled away from his said Government of the City and Kingdom of *Tripoli* in *Barbary*;

Now therefore we *Halil* Bashaw, Aga, Divan, Governours, Souldiers and People of the aforesaid City and Kingdom of *Tripoli*, have Chosen and Elected Vice-Admiral *Mustapha Granide* to be Dey of the said City and Kingdom of *Tripoli* in *Barbary*, to Succeed *Ibraim* Dey in the aforesaid Government. And now We the said *Halil* Bashaw, *Mustapha* Dey, Aga, Divan, Governours, Souldiers and People of *Tripoli* aforesaid, having seen the aforesaid Articles of Peace and Commerce, which were lately made and Concluded as aforesaid, and having seriously perused, and fully considered all particulars therein mentioned, do fully approve of all and every of the aforesaid Article and Articles of Peace; And we and every one of us do now by these Presents consent and agree to and with Sir *John Narbrough* Knight aforesaid, for the Just and Exact keeping and performing all of the said Articles, and do Accept, Approve, Ratifie and Confirm all and every of them, in the same manner and form as they are inserted and repeated in the preceding

ceding Articles aforeſaid; Hereby firmly Engaging our Selves and Succeſſors, aſſuring on Our Faith, ſacredly to maintain, and ſtrictly to obſerve, perform and keep inviolably all and every the aforeſaid Article and Articles of Peace and Agreement for ever: And to cauſe and require all Our Subjects and People, of what Degree or Quality whatſoever, within the City and Kingdom of *Tripoli* in *Barbary*, or Dominions thereunto belonging, both by Sea and Land, punctually, inviolably, carefully and duely to obſerve, keep and perform all and every the aforeſaid Article and Articles thereof for ever; And our Faith ſhall be our Faith, and our Word our Word; and whoſoever ſhall at any time violate and break any part of the ſaid Article or Articles of Peace, they ſhall aſſuredly be puniſhed with greateſt ſeverity, and his or their Heads ſhall be immediately Cut off, and forthwith be preſented unto any Officer whom the moſt Serene King of *Great Britain, &c.* ſhall authoriſe to make demand thereof.

It

It is farther Agreed, That the Subjects belonging unto the Most Serene King of *Great Britain*, *&c.* Trading unto the Port of the City and Kingdom of *Tripoli* in *Barbary* aforesaid, or unto any Port or Place of the Dominions thereunto belonging, in any Merchants Ship or other Vessel belonging unto the said Serene Kings Subjects, shall not Pay so much Custom by one *per Cent.* for whatsoever Goods or Merchandises they Sell or Buy, as other Nations do for the Custom of the like Goods or Merchandise, notwithstanding whatsoever is specified in the Second Article aforesaid, to the contrary.

And that the most Serene King of *Great Britain*'s Consul residing in *Tripoli* aforesaid, shall have liberty at all times when he pleaseth, to put up His said Serene Majesties Flagg on the Flagg-staff on the Top of his House, and there to continue it spread as long time as he pleaseth. Likewise, the said Consul to have the same liberty of putting up and spreading the said Flagg in his Boat, when he passeth on the Water, and no Man

What-

whatſoever to oppoſe, moleſt, diſturb or injure him therein either by Word or Deed.

Theſe and all other preceding Articles are to remain firm for ever, without any Alteration; and in all other particulars not mentioned in any of theſe Articles, the Regulation ſhall be according to the Capitulations General with the Grand Seignior.

Confirmed likewiſe and Sealed in the preſence of Almighty God, at Our Caſtle in the Noble City and Kingdom of Tripoli *in* Barbary, *the Firſt day of* May *Old Stile, and the Year of Our Lord* Jeſus Chriſt, *One thouſand ſix hundred and ſeventy ſix, being the Six and twentieth day of the Moon* Zaphire, *and the Year of the* Hegira, *One thouſand eighty ſeven.* 1087.

(*L. S.*)	(*L. S.*)	(*L. S.*)	(*L. S.*)
Baſhaw.	Dey.	Divan.	Admiral.

F I N I S.